

Stop Dangerous Sanctuary Cities Act – ONE PAGER

Summary

1. Definition of Sanctuary Jurisdiction

- A sanctuary jurisdiction is a state or locality that forbids its local law enforcement from:
 - sharing information with federal immigration officials, or
 - complying with an immigration detainer—*i.e.*, a request by DHS for local officials to hold an illegal immigrant (up to 48 hours) so federal officials have time to take custody.
- A jurisdiction may, without being labeled a sanctuary jurisdiction, have a policy providing that if a victim or witness of a crime comes forward, local law enforcement will not report the individual to federal immigration officials or act to deport the individual.

2. Addresses Court Decisions that Have Forced Dozens of Counties To Become Sanctuary Jurisdictions

- Problem:
 - Some federal courts (including the Third Circuit) have held that if DHS issues an immigration detainer that includes an error, and local law enforcement complies with that detainer, the local law enforcement officers may be held liable for DHS's error.
 - Has resulted in dozens of localities becoming sanctuary jurisdictions
- Solution:
 - The bill provides that when local officials comply with detainers:
 - they are delegated the same powers as a DHS agent &
 - are deemed to be agents of DHS with regard to actions needed to comply with immigration detainers.
 - The amendment preserves individuals' rights to sue for civil rights violations—whether those violations were due to intentional or negligent actions.
 - It simply provides that the individual should sue the individual or entity that made the error. IF DHS makes an error in issuing a detainer (*e.g.*, issued a detainer for a U.S. citizen or listed the wrong name), the suit shall lie against the federal government, not local officials who acted in good faith compliance with the detainer.

3. Withholds Certain Funds from Sanctuary Jurisdictions

- Community Development Block Grant funds withheld (\$2.9B in FY15)
- Certain Economic Development Administration grants (~\$200M in FY15)
 - Withholds (i) grants for public works, (ii) grants planning and administrative expenses, (iii) supplementary grants, and (iv) grants for training, research, and technical assistance.
 - Sanctuary jurisdictions remain eligible for (i) trade adjustment assistance grants, and (ii) FEMA-related grants.